

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 149 be amended to read as follows:

- 1 Page 1, line 10, after "construction" insert "**or rehabilitation**".
- 2 Page 2, between lines 2 and 3, begin a new paragraph and insert:
- 3 "**Sec. 4. (a) A political subdivision must obtain approval from**
- 4 **the department of local government finance before the political**
- 5 **subdivision may execute a negotiable note under this chapter.**
- 6 **(b) A political subdivision must file a petition requesting**
- 7 **approval from the department of local government finance to**
- 8 **execute a negotiable note under this chapter not later than ten**
- 9 **(10) days after the date of publication of the notice described in**
- 10 **section 3 of this chapter, unless the political subdivision**
- 11 **demonstrates that a longer period is reasonable in light of the**
- 12 **political subdivision's facts and circumstances.**
- 13 **(c) The department of local government finance may seek**
- 14 **recommendations from the local government tax control board**
- 15 **established by IC 6-1.1-18.5-11 when determining whether to**
- 16 **approve the execution of a negotiable note under this chapter.**
- 17 **(d) The department of local government finance shall render a**
- 18 **decision and provide notice of its final determination approving or**
- 19 **disapproving the execution of a negotiable note under this chapter**
- 20 **to the executive of the political subdivision not later than ninety**
- 21 **(90) days after the date it receives a request for approval under**
- 22 **subsection (b). However, the department of local government**

1 finance may extend this ninety (90) day period by an additional
 2 thirty (30) days if, at least ten (10) days before the end of the
 3 original ninety (90) day period, the department sends notice of the
 4 extension to the executive of the political subdivision.

5 (e) A taxpayer or the political subdivision described in
 6 subsection (b) may petition for judicial review of the final
 7 determination of the department of local government finance
 8 under this section. The petition must be filed in the tax court
 9 established by IC 33-3-5-1 not later than forty-five (45) days after
 10 the date of the department's final determination under this
 11 section.

12 (f) A petition for judicial review under this section may not be
 13 filed if a petition for review under section 9 of this chapter
 14 concerning the same proposed negotiable note is pending before
 15 the tax court."

16 Page 2, line 3, delete "4. A" and insert "5. Upon receipt of notice
 17 from the department of local government finance approving the
 18 execution of a note under this chapter, a".

19 Page 2, line 10, delete "5." and insert "6."

20 Page 2, line 22, delete "6." and insert "7."

21 Page 2, line 30, delete "7." and insert "8."

22 Page 2, line 30, delete "6" and insert "7".

23 Page 3, line 7, after "government" insert "**finance**".

24 Page 3, line 9, delete "8." and insert "**9. (a)**".

25 Page 3, line 10, delete "6" and insert "7".

26 Page 3, line 13, delete "6" and insert "7".

27 Page 3, after line 19, begin a new paragraph and insert:

28 "**(b) A petition for judicial review under this section may not be**
 29 **filed if a petition for review under section 4(e) of this chapter**
 30 **concerning the same proposed negotiable note is pending before**
 31 **the tax court.**".

(Reference is to ESB 149 as printed February 20, 2004.)

Representative Moses